

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

**CONSOLIDATED INDUSTRIES, LLC  
d/b/a WEATHER KING PORTABLE  
BUILDINGS,**

**Plaintiff,**

**v.**

**JESSE A. MAUPIN, BARRY D.  
HARRELL, ADRIAN S. HARROD,  
LOGAN C. FEAGIN, STEPHANIE L.  
GILLESPIE, RYAN E. BROWN, DANIEL  
J. HERSHBERGER, BRIAN L. LASSEN,  
ALEYNA LASSEN, and AMERICAN  
BARN CO., LLC,**

**Defendants.**

**Civil Action No. 1:22-cv-01230**

**REQUEST TO CORRECT THE RECORD  
REGARDING DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO COMPEL  
SUPPLEMENTATION OF DISCOVERY RESPONSES**

Defendants respectfully request permission from the Court to correct a statement made in its Response to Plaintiff's Motion to Compel Supplementation of Discovery Responses.

In that Response, Defendants stated:

“the cell phones and laptops Defendants used when working at Weather King were owned by Weather King and therefore returned to Weather King upon each Defendants discharge.”

DI 83 at 10.

This was incorrect. The facts as corrected are that Defendants did not have company phones or computers that were turned in.

Defendants apologize to the Court for this error, which was made as a result of a miscommunication.

Date: July 7, 2023

/s/ Thomas G. Pasternak

Thomas G. Pasternak

AKERMAN LLP

71 South Wacker Drive, 47th Floor

Chicago, IL 60606

Tel. 312.634.5700

[thomas.pasternak@akerman.com](mailto:thomas.pasternak@akerman.com)

*Attorneys for Defendants*

*JESSE A. MAUPIN, BARRY D. HARRELL, ADRIAN S.*

*HARROD, LOGAN C. FEAGIN, STEPHANIE L.*

*GILLESPIE, RYAN E. BROWN, DANIEL J.*

*HERSHBERGER, BRIAN L. LASSEN, ALEYNA*

*LASSEN, and AMERICAN BARN CO., LLC*

**CERTIFICATE OF SERVICE**

I certify that on July 7, 2023 I filed a true and correct copy of the foregoing **REQUEST TO CORRECT THE RECORD REGARDING DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO COMPEL SUPPLEMENTATION OF DISCOVERY RESPONSES** with the Court using the ECF system, which will provide notice and a copy to counsel of record:

David L. Johnson, #18732  
John H. Dollarhide, #40041  
Y. Larry Cheng, #36707  
BUTLER SNOW LLP  
150 3<sup>rd</sup> Avenue South, Suite 1600  
Nashville, TN 37201  
Telephone: (615) 651-6700  
Fax: (615) 651-6701  
[david.johnson@butlersnow.com](mailto:david.johnson@butlersnow.com)  
[john.dollarhide@butlersnow.com](mailto:john.dollarhide@butlersnow.com)  
[larry.cheng@butlersnow.com](mailto:larry.cheng@butlersnow.com)

Daniel W. Van Horn, #18940  
BUTLER SNOW LLP  
6075 Poplar Ave., Suite 500  
Memphis, TN 38119  
Telephone: (901) 680-7200  
Fax: (901) 680-7201  
[Danny.VanHorn@butlersnow.com](mailto:Danny.VanHorn@butlersnow.com)

/s/ Thomas G. Pasternak  
Thomas G. Pasternak